

APPENDIX E.1. FACILITIES MANDATED TO REPORT ABUSE

A facility is any one of the following	Licensing Entity
Adult Training Facilities (ID) (Chapter 2380)	Department of Human Services Office of Developmental Programs
Assisted Living Residences (Chapter 2800)	Department of Human Services Bureau of Human Services Licensing
Birth Center (Chapter 501) Only 5 in Pennsylvania (Allegheny, Berks, Delaware, Lancaster, Montgomery)	Department of Health
Community Residential Rehab Services (CRR) (Chapter 5310)	Department of Human Services Office of Mental Health and Substance Abuse Services (OMHSAS)
Community Homes for individuals with intellectual disabilities/Group Home/CLA (Chapter 6400)	Department of Human Services Office of Developmental Programs
Domiciliary Care Home (6 PA Code Chapter 21)	Department of Aging
Family Living Home (Chapter 6500)	Department of Human Services Office of Developmental Programs
Home Care Agency (Chapter 611)	Department of Health Bureau of Community Program Licensure and Certification
Home Care Registry (Chapter 611)	Department of Health Bureau of Community Program Licensure and Certification
Home Health Care Agency (Chapter 601)	Department of Health Bureau of Community Program Licensure and Certification
Hospice (Chapter 51) (CFR §418.52) Code of Federal Regulations	Department of Health Bureau of Community Program Licensure and Certification
Hospital	Hospital staff are not mandatory reporters under OAPS. Hospital staff are mandatory reporters under APS. Under OAPS the only exception is if certain facilities exist, and are licensed separately, within the hospital setting, then they are considered to be one of the covered facilities. They include a:

	<ul style="list-style-type: none"> • Long-Term Care Unit • Skilled Transitional Unit • Extended Care unit <p>The above are licensed by the Department of Health</p>
ICF/IID Intermediate Care Facility for ID ICF/ORC Intermediate Care Facility for other related conditions (Chapter 6600) DHS oversees (Licensed Federal CMS) (Department of Health)	Department of Health (Provides CMS oversight) DHS Issues License
LIFE Living Independence for the Elderly (42 CFR §460)	<p>The Office of Long-Term Living (oversight entity) is notified of all voluntary and mandatory RONS received regarding someone receiving services from a LIFE center. Ombudsman should still be notified for all RONS.</p> <p>Department of Aging (Several LIFE centers are currently licensed as Older Adult Daily Living Centers under Chapter 11.)</p>
Long Term Structured Residence (Chapter 5320)	Department of Human Services Office of Mental Health and Substance Abuse Services (OMHSAS)
Managed Care Organizations * (see below)	Department of Insurance *
Nursing Home (Department of Health) (Department of Health) (Chapter 210)	Department of Health Bureau of Facility Licensure and Certification
Nursing Facility (DHS)* * Only facility in Pennsylvania is South Mountain Restoration Center located in Franklin County	Department of Health (Provides CMS oversight) DHS- Bureau of Administrative Services Issues License
Nursing Schools Students completing an internship or clinical rotation, or any other individual, who has been granted access to the facility to perform clinical services	The student or other individual completing their internship/rotation is considered a mandatory reporter while working in a licensed facility. The licensing entity is the office that oversees the facility they are assigned to.
Older Adult Daily Living Center (Chapter 11)	Department of Aging
Personal Care Home (Chapter 2600)	Department of Human Services Bureau of Human Services Licensing

Residential Treatment Facilities for Adults (Chapter 5100)	Department of Human Services Office of Mental Health and Substance Abuse Services (OMHSAS)
Service Coordinators	Department of Human Services
Sexual Treatment and Responsibility Program (Chapter 5100) Torrence State Hospital Westmoreland County only	Department of Human Services Office of Mental Health and Substance Abuse Services (OMHSAS)
Staffing Agency	Entity that supplies, arranges for, or refers their employees to provide care in facilities covered by the Protective Services for Older Adults statute and regulations.
State Mental Hospital (Chapter 5100)	Department of Human Services Office of Mental Health and Substance Abuse Services (OMHSAS)
Vocational Facilities (Chapter 2390)	Department of Human Services Office of Developmental Programs (ODP)

* The Department of Insurance is not notified when voluntary and mandatory *reports of need* are received.

The LTC Ombudsman must be notified in instances in which the older adult is residing in a facility setting.

FACILITY TYPES UNDER OAPSA

FACILITY TYPE UNDER OAPSA	LICENSING AGENCY	55 PA CODE CHAPTER REFERENCE (FOR DHS ONLY)
Domiciliary Care (DC)	Under the AAAs	
In-Home Direct Service Worker (ONLY if part of a Waiver Program)	Under the AAAs	
Adult Daily Living Center (ADLC)	PDA	
Home Health Care Agency	DOH	
Home Care Agency	DOH	
Home Care Registry	DOH	
Long Term Care Nursing Facility	DOH	
Hospice	DOH	
Birth Center	DOH	
Hospital: ONLY those with a Long Term Care Unit, Skilled Transitional Unit or Extended Care Unit (ECU)	DOH	
Adult Training Facilities (Day Training Facilities for Adults) (ONLY if part of a Waiver Program)	DHS	2380
Personal Care Home (PCH)	DHS	2600
Assisted Living Residence (AL)	DHS	2800
Community Residential Rehabilitation Service (CRRS)	DHS	5310
Long Term Structured Residence (LTSR)	DHS	5320
*Community Homes for Individuals with Intellectual Disability - GH/CLA (Group Home/Community Living Arrangement) Also listed as Community Home Services on the DHS Provider List	DHS	6400
*Family Living Home	DHS	6500
*Intermediate Care Facility for Individuals with Intellectual Disability (ICF/IID)	DHS	6600
Residential Treatment Facilities for Adults	DHS	5100

Sexual Treatment & Responsibility Program (STRP) Located at Torrance State Hospital	DHS	
State Mental Hospital	DHS	
Long Term Care Nursing Facility (Only South Mountain Restoration Center in Franklin County)	DHS	

*For Over 60 Reporting only – Under 60 is APS only

OTHER TYPES OF FACILITIES NOT UNDER OAPSA	LICENSING AGENCY	55 PA CODE CHAPTER REFERENCE (FOR DHS ONLY)
Acute Care Facility	DOH	
Hospital WITHOUT Long Term Care Unit, Skilled Transitional Unit or Extended Care Unit (ECU)	DOH	
Assertive Community Treatment	DHS	1001
Peer Support Services	DHS	1007
Adult Training Facilities (Day Training Facilities for Adults) that are NOT part of a Waiver program	DHS	2380
Vocational Facilities	DHS	2390
County Children and Youth Agencies	DHS	3130
Adoption Services	DHS	3350
Private Children and Youth Social Services Agencies	DHS	3680
Foster Family Care Agency	DHS	3700
Child Residential and Day Treatment Facility	DHS	3800
Mental Health Psychiatric Outpatient Clinic	DHS	5200
Mental Health Partial Hospitalization Programs	DHS	5210
Mental Health Intensive Care Management	DHS	5221
Psychiatric Rehabilitation Services	DHS	5230
Crisis Intervention	DHS	5240
Private Psychiatric Hospital	DHS	5300
Other Public Funded Entity (Mandated for APS Only)		

Facilities defined by the act include: Domiciliary Care Homes, Home Health Care Agencies, Long Term Care Nursing Facilities (licensed by Dept. of Health), Adult Daily Living Centers (licensed by Dept. of Aging), and Personal Care Homes (licensed by Dept. of Human Services).

In addition, the Pennsylvania Department of Health has defined home health care organization or agency to include: hospices, birth centers, home care agencies and home care registries*.

The Pennsylvania Department of Human Services (DHS) has concluded that the Act is applicable to all DHS-licensed and DHS-operated residential facilities for adults; specifically: Personal Care Homes, 55 PA Code Ch. 2620; Assisted Living Residences, 55 PA Code Ch. 2800; Community Residential Rehabilitation Services, 55 PA Code Ch. 5310; Long Term Structured Residences, 55 PA Code Ch. 5320; Community Homes for Individuals with Intellectual Disability, 55 PA Code Ch. 6400; Family Living Homes, 55 PA Code Ch. 6500; ICF/IIDs (private and state), 55 PA Code Ch. 6600; State Mental Hospitals and Nursing Facilities.

*A Home Care Agency is further defined to include those agencies licensed by the Department of Health and any public or private organization which provides care to a care-dependent individual in their place of residence. A Home Care Registry or "Registry" is further defined to include those agencies licensed by the Department of Health and any organization or business entity that supplies, arranges or refers independent contractors to provide activities of daily living or instrumental activities of daily living or specialized care in the consumer's place of residence or other independent living environment for which the registry receives a fee, consideration or compensation of any kind.